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DUKE W. YEE YEE AND ASSOCIATES, P.C. P.O. BOX 802333 DALLAS, TX 75380			EXAMINER LOFTUS, ANN E	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/008,731	Applicant(s) LIU ET AL.	
	Examiner ANN LOFTUS	Art Unit 3692	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 January 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Status of the Claims

1. This action is in response to an appeal brief filed on 1/14/08.
 - Claims 1 and 11 are pending.
 - Claims 2-10 and 12-30 are cancelled.
2. The application was filed 11/7/01 without provisional or any claimed priority.
3. In view of the appeal brief filed on 1/14/08, PROSECUTION IS HEREBY REOPENED. New grounds of rejection are set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(2) initiate a new appeal by filing a notice of appeal under 37 CFR 41.31 followed by an appeal brief under 37 CFR 41.37. The previously paid notice of appeal fee and appeal brief fee can be applied to the new appeal. If, however, the appeal fees set forth in 37 CFR 41.20 have been increased since they were previously paid, then appellant must pay the difference between the increased fees and the amount previously paid.

A Supervisory Patent Examiner (SPE) has approved of reopening prosecution by signing below.

/Kambiz Abdi/
Supervisory Patent Examiner, Art Unit 3692

Response to Arguments

4. Applicant's arguments with respect to the 35 USC 103 rejections of claims 1, 11, and 21 have been considered but are moot in view of the new ground(s) of rejection.

5. Claims 1 and 11 are rejected under 35 USC 112, first paragraph as not adequately supported by the specification. The following language is at issue:

“Performing, using said computing device, association analysis for only said bank using only said bank’s plurality of bank products and only said bank’s plurality of existing banking customers; said association analysis not performed for any retail business using any retail customers or retail data related to any type of retail services or retail store.”

The applicant argues that just because the specification describes a broader base of potential customers does not mean that the specification fails to support claims to a subset of such potential customers. The examiner notes that the claims contain subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. If the limitation is not explicit, the applicant has the burden of showing that a person of ordinary skill in the art “would have understood, at the time the patent application was filed, that the description requires the limitation.” Hyatt, 47USPQ 2d @1131. An arbitrary narrowing of the scope of the claim is not compliant unless the description would require the narrowing limitation. In this

case, the limitation is not required since the cross selling analysis could be done for retail customers, thus the claims remain rejected.

The following term in claims 1 and 11 is also at issue: "preferred products." The applicant argues that it is explained within the claim. Here is the excerpt:

"analyzing , by said profitability analysis device, said stored product information to identify strategic ones of said plurality of products to form preferred products, said preferred products being only said strategic ones of said plurality of products, said preferred products being ones of said plurality of products that are purchased by ones of said plurality of banking customers that purchase at least a minimum amount of said plurality of products".

The examiner finds that the language about preferred products are those purchased by customers who buy a minimum amount of products is not supported by the specification. If the limitation is not explicit, the applicant has the burden of showing that a person of ordinary skill in the art "would have understood, at the time the patent application was filed, that the description requires the limitation." Hyatt, 47USPQ 2d @1131. In this case, the limitation is not required, since the analysis can be done for any products with sales data available.

6. Claims 1 and 11 are rejected under 35 USC 112 second paragraph as being unclear. The applicant argues that "retail" is clear because it is a subset of their specification disclosure. The examiner still finds the claim unclear. Retail banking generally means banking for individual people as opposed to businesses. Commercial

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banking is providing banking services to businesses, many of whom are retail businesses. Are retail businesses considered retail customers of banks? Investment services are considered separate from retail banking, but they can be provided to business or individuals or trusts. Is investment banking included in "not retail"? The claim is unclear because it is not clear exactly which groups are excluded and what is left.

The terms "strategic" and "preferred" are ill-defined as discussed above. The applicant argues that they are defined within the claim. They are terms of degree, and a person of ordinary skill in the art would not know the required degree of "strategic" or "preferred." Further, the claim says strategic products are identified to form preferred products, but also says preferred products are already strategic. The metes and bounds are unclear.

Claim 11 has been rejected because the term "said computing device" lacks antecedent basis. The applicant argues that the word "said" is superfluous, but that a superfluous word does not render the claim indefinite. The examiner respectfully disagrees. If superfluous words were allowed, then the import of any particular word could be attacked.

7. The applicant argues that the use of multiple references constitutes improper hindsight analysis. The examiner respectfully disagrees. To quote In Re McLaughlin, 170 USPQ 209 (CCPA 1971), "Any judgment on obviousness is in a sense necessarily a reconstruction based upon hindsight reasoning, but so long as it takes into account

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only knowledge which was within the level of ordinary skill at the time the claimed invention was made, and does not include knowledge gleaned only from applicant's disclosure, reconstruction is proper." Note also In Re Gorman, 18 USPQ 2d 1885 (CAFC) "PTO's reliance on teachings of a large number of references in rejecting a patent application for obviousness does not, without more, weigh against holding of obviousness on appeal, since the criterion is not number of references, but whether references are in fields which are the same or analogous to the field of invention, and whether their teachings would, taken as a whole, have made the invention obvious to a person skilled in that field."

8. Examiner would also like to point out that Official Notice was used in the office actions mailed to indicate that it is old and well known in the art.

- deciding not to sell unprofitable items
- identifying high profit items, mid profit items, low profit items and giveaways/incentive items
- and deciding not to sell items in certain profit categories.

Since applicant has not attempted to traverse this Official Notice statement, examiner is taking the common knowledge or well-known statement to be admitted prior art.

Claim Rejections - 35 USC § 112

9. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

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10. Claims 1, 11 and 21 rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

The following language is not supported by the specification :

“Performing, using said computing device, association analysis for only said bank using only said bank’s plurality of bank products and only said bank’s plurality of existing banking customers; said association analysis not performed for any retail business using any retail customers or retail data related to any type of retail services or retail store.”

The specification indicates that the method can be used with “any company in any industry that sells multiple products and services to consumers” in lines 11-12 on page 28. See also page 12 lines 8-11. Page 6 line 12 clarifies that existing and potential customers are included.

Further, the term “preferred products” is not supported by the specification. While it does say that major, important or strategic products would be included, there is no reference to how to tell if a product is major, important, or strategic. It may depend on the number of customers who hold the product, or its profitability or its history or its visibility to management. It may be entirely subjective. Given a criterion, a person of ordinary skill in the art may be able to determine the top product, but would not know

where to draw the line. The recited language about preferred products are those purchased by customers who buy a minimum is not supported by the specification.

11. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

12. Claims 11 and 21 recite "said computing device" in the third line. There is insufficient antecedent basis for this limitation in the claim.

As to claims 1, 11, and 21, the specification refers to a retail bank in lines 10-11 on page 2. The claims then recite the limitations of applying to banking but not retail, yet the specification addresses customer demographics as though the customers were people and not wholesale businesses, thus implying retail. The metes and bounds of the claim are unclear.

The terms "preferred" and "strategic" are ill-defined as discussed above, and render the claims unclear.

The clause that begins with "storing" refers to storing and modifying the products themselves instead of the product codes. A change in a product code is not a change in a product, so this language is confusing.

Claim Rejections - 35 USC § 103

13. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and

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the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

14. Claims 1 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over

- US Patent No. 6272478 filed 12/31/97 by Obata in view of
- US Patent Application 20040064371 filed based on provisionals from 1999 by Crapo in view of
- US Patent Application No. 20020116237 filed 12/18/00 by Cohen and in view of
- US Patent No. 6901373 filed 11/12/99 by Chasko, and in view of
- An article by O' Sullivan titled Bringing Commercial Customers into Focus, published in December 1997 by the ABA Banking Journal, in view of
- US Patent 5970476 filed 9/1996 by Fahey and in view of
- US Patent No. 6324523 filed 9/30/97 by Killeen et al.

a. As to the following claim language,

Said computing device including a controller, a network interface, a profitability analysis device, a profit level categorization device, a data mining device, a cross selling opportunities recognition device, and a storage device; said controller, said network interface, said profitability analysis device, said profit level categorization device, said data mining device, said cross-selling opportunities recognition device and said storage device coupled together with using a control/data signal bus;

Obata teaches a data mining device in claim 1. Obata does not specifically teach a controller, a network interface, a storage device and a control/data signal bus. In

paragraph 49 page 5, Crapo teaches a controller, a network interface, a storage device and a control/data signal bus. Crapo teaches a data mining device in paragraph 47 also on page 5. It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify Obata to add a controller, a network interface, a storage device and a control/data signal bus because they are reliable and easily available computer device components.

Obata teaches using the results of profitability analysis in col 8 line 56 to col 9 line 5. Obata does not explicitly mention a profitability analysis device. Fahey teaches in col 4 line 13 to col 5 line 52 a profit analysis device (product costing subsystem produces analysis of profitability in each product family.) It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify Obata to explicitly teach a profitability analysis device in order to generate the results of profitability analysis above.

Obata teaches storing the product information in storage device in Figure 1, item 16 (database). Obata teaches in col 7 lines 40-52 highlighting “large profit” items and not displaying items whose profits fall below a threshold. Thus Obata teaches profit categorization into three levels – large, below threshold, and above threshold but less than large. Obata does not specifically teach profitability categorization of products, just associations. Chasko teaches profit level categorization of products in the abstract. A device that performs the function is implicit in the categorization. Thus Chasko teaches a profit level categorization device. It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify the Obata Crapo combination to

include categorization of profit levels of products because it could be stored with the product information and used for other decision-making and not just cross-selling analysis.

The Obato Crapo Chasko combination does not specifically teach a cross-selling opportunities recognition device. Cohen teaches a cross-selling opportunities recognition device in claim 32. It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify the Obato Crapo Chasko combination to add a cross-selling opportunities recognition device because that is one of the known advantages of data-mining.

As it is the ordinary function of a control/data signal bus to couple devices together, it would have been obvious to a person of ordinary skill in the art to couple them with a control/data signal bus in order to use standard technology and avoid custom hardware platforms. Thus the Obato Crapo Chasko Cohen combination teaches the claim language cited above.

b. As to the next section of claim language,
performing association analysis for only said bank...existing banking customers,
Obata does not explicitly teach performing association analysis for only said bank. Cohen teaches in paragraph 3 page 1 that the analysis is done on sales data. It is implicit that a bank only keeps sales data for its own customers. A person of ordinary skill in the art would understand that for a bank to analyze sales data for cross-selling opportunities, they would analyze data for only said bank using only said bank's plurality

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of bank products and only said bank's plurality of existing banking customers because this is the most complete and the most relevant dataset available to the bank. It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify the Obato Crapo Chasko combination to add performing association analysis for only said bank and their existing products and customers because this dataset is the most likely to give relevant suggestions for cross-selling.

c. As to the next section of claim language,

"said association analysis not performed for any retail business...retail store"

Obata does not explicitly teach association analysis not performed for retail. O'Sullivan teaches in the section Re-envisioning Customers data mining for cross-selling opportunities which a person of ordinary skill in the art would interpret as association analysis. O'Sullivan teaches wholesale customers in this section, who are not retail. It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify the Obato Crapo Chasko combination with predictable results and a reasonable expectation of technical success to add association analysis not performed for any retail customers or retail data related to any type of retail services or retail store in order to identify cross-selling opportunities for this segment of bank customers.

d. As to the next section of claim language,

Said controller receiving via said network interface, a request for cross-selling opportunities identification; said controller initiating retrieval for each one of said plurality of existing banking

customers from a bank's database of product information about said plurality of bank products, said initiating responsive to said receipt of said request;

The Obato Crapo Chasko combination does not specifically teach a request for cross-selling opportunities identification. Cohen teaches a request for cross-selling opportunities identification in claim 1. It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify the Obato Crapo Chasko combination to add a request for cross-selling opportunities identification because this would allow the system to use the most recent data to generate results when needed, as opposed to on a preset schedule.

The Obato Crapo Chasko combination does not specifically teach retrieval for each customer from a database of product information. Cohen teaches retrieval for each customer from a database of product information (sales data) in claim 16. It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify the Obato Crapo Chasko combination to teach retrieval of for each customer from a database of product information in order to get associations between customers and products that are useful for cross-selling.

As actions on a computer system occur in a controlled manner, it is inherent that a controller is involved in their initiation. Since a network interface is a computer system's link to the network, any requests coming from the network would pass through the network interface. Thus the Obato Crapo Chasko Cohen combination teaches the claim language cited above.

e. As to the next section of claim language,

Said bank losing money on particular ones of said plurality of products when said particular ones of said plurality of products are purchased by particular ones of said plurality of banking customers;

The specification page two lines 18-20 states "On average, credit card companies only start to make money in the third year of doing business with a customer," thus they lose money the first two years. And further, beginning line 32 " most banks do not make money from a large part of their customers for most products." Thus it was old and well-known at the time of the invention for banks to lose money on particular products bought by particular customers.

f. As to the next section of language,

Means for temporarily storing said product information in said storage device; said controller instructing said profitability analysis device to operate on said stored product information, said profitability analysis device analyzing said stored product information to identify strategic ones of said plurality of products to form preferred products, said preferred products being only said strategic ones of said plurality of products, said preferred products being ones of said plurality of products that are purchased by ones of said plurality of banking customers that purchase at least a minimum amount of said plurality of products; said profitability analysis device calculating a profit for each one of said preferred products and not calculating profit for ones of said plurality of products not identified as being one of said preferred products.

The Obato Crapo Chasko Cohen combination does not specifically teach temporarily storing product information in a storage device. Fahey teaches temporarily storing product information in a storage device in the abstract. It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify the Obato Crapo

Chasko Cohen combination to add temporarily storing product information in a storage device because that would make it available to analysis and reporting systems.

The Obato Crapo Chasko Cohen combination does not specifically teach a controller instructing said profitability analysis device to analyze said stored product information to identify strategic ones of said plurality of products. In Col 12 line 42 to col 13 line 30 Fahey teaches a profitability analysis device operating on stored product information. Inherent in the operation on a computer based device is the existence of an operation controller that instructed the process to begin. Fahey also teaches preferred or strategic (key) products in Col 12 line 42 to col 13 line 30. Thus Fahey teaches a controller instructing said profitability analysis device to analyze said stored product information to identify strategic ones of said plurality of products. It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify the Obato Crapo Chasko Cohen combination to add a controller instructing said profitability analysis device to analyze said stored product information to identify strategic ones of said plurality of products in order to allow focused analysis.

The Obato Crapo Chasko Cohen combination does not specifically teach not calculating profit for ones of said plurality of products not identified as being one of said preferred products. In Figure 10, item 390, Fahey teaches profitability of key products excluding other products. Thus Fahey teaches a controller instructing said profitability analysis device to operate on said stored product information, said profitability analysis device analyzing said stored product information to identify strategic ones of said plurality of products to form preferred products, said profitability analysis device

calculating a profit for each one of said preferred products and not calculating profit for ones of said plurality of products not identified as being one of said preferred products. It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify the Obato Crapo Chasko Cohen combination to add a controller instructing said profitability analysis device to operate on said stored product information, said profitability analysis device analyzing said stored product information to identify strategic ones of said plurality of products to form preferred products, said profitability analysis device calculating a profit for each one of said preferred products and not calculating profit for ones of said plurality of products not identified as being one of said preferred products because this focuses the analysis resources where they are most useful.

g. As to the next section of claim language,

Means for categorizing based on said profit that was calculated for each one of said preferred products, each one of said preferred products into one of three levels, which are based on said bank's situation; said three levels of profitability indicating a high level of profitability, a medium level of profitability, and a low level of profitability, said low level of profitability indicating either low profitability or negative profitability when each one of said preferred products that is categorized into said low level of profitability is purchased.

Obata teaches in col 7 lines 40-52 highlighting "large profit" items and not displaying items whose profits fall below a threshold, Thus, Obata teaches profit categorization into three levels – large, below threshold, and above threshold but less than large, which indicate high, medium and low profitability. Thus Obata teaches

Means for categorizing based on said profit that was calculated for each one of said preferred products, each one of said preferred products into one of three levels, which are based on said bank's situation; said three levels of profitability indicating a high level of profitability, a medium level of profitability, and a low level of profitability, said low level of profitability indicating either low profitability or negative profitability when each one of said preferred products that is categorized into said low level of profitability is purchased.

h. As to the next section of claim language,

Each one of said preferred products having an assigned original product code; for each one of said preferred products: means for transforming said assigned original product code by embedding one of said three levels into said assigned original product code to form a new product code, said embedded one of said three levels being a level into which each one of said preferred products was categorized; means for transforming said original product code into said new product code by concatenating said original product code to form said new product code;

Obata teaches three levels of profitability. Obata does not specifically teach product codes. Fahey in Figure 4F teaches product codes (product data) that includes price and cost information. It would have been obvious to a person of ordinary skill in the art at the time of the invention to combine Obata and Fahey to make product codes that include three profit levels, because then the desirability of selling each product would be known by inspecting its code. Further, since the profit codes would be stored in a database (as per Fahey col 10 line 13), the database queries can be used to embed or concatenate the data in any way desired. It would have been within ordinary logic and reasoning for

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a person of ordinary skill in the art at the time of the invention to query the database to retrieve the profitability level with product data to make a code, with predictable results and a reasonable expectation of success. Thus the Obata Crapo Chasko Cohen Fahey combination teaches each one of said preferred products having an assigned original product code; for each one of said preferred products: means for transforming said assigned original product code by embedding one of said three levels into said assigned original product code to form a new product code, said embedded one of said three levels being a level into which each one of said preferred products was categorized; means for transforming said original product code into said new product code by concatenating said original product code to form said new product code.

i. As to the next section of claim language,

Means for storing each one of said preferred products with said new product code that is associated with said one of said preferred products to form modified preferred products; means for processing said modified preferred products to identify associations among said modified preferred products, said processing including performing data mining on said modified preferred products to generate a plurality of association rules based on past behavior of said plurality of banking customers;

The Obata Crapo Chasko Cohen combination does not specifically teach storing the product codes in a database. Fahey teaches storing the product codes in a database in col 10 line 13. It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify the Obata Crapo Chasko Cohen combination to store the product codes in a database because databases come with built-in backup features.

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The Obata Crapo Chasko combination does not specifically teach processing products to identify associations among said modified preferred products, said processing including performing data mining on said modified preferred products to generate a plurality of association rules based on past behavior of said plurality of banking customers. On page 1 paragraph 15 and in Fig 2 Cohen teaches processing products to identify associations among said modified preferred products, said processing including performing data mining on said modified preferred products to generate a plurality of association rules based on past behavior of said plurality of banking customers (generating association rules). It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify the Obata Crapo Chasko combination to process products to identify associations among said modified preferred products, said processing including performing data mining on said modified preferred products to generate a plurality of association rules based on past behavior of said plurality of banking customers in order to find out if there are populations who are particularly likely to buy preferred products.

j. As to the next section of claim language,

A particular one of said plurality of association rules associating a Visa Gold credit card with a housing loan, said particular one of said plurality of association rules including a support of .22, a confidence of 10.7, and a lift of 13.3; said particular one of said plurality of association rules, an identification that a Visa Gold credit card is high profitability and an indication that a housing loan is high profitability; wherein said particular one of said plurality of association rules is Visa Gold with High profitability associated with house loan of high profitability with support of .22, 10.7 as

confidence, and 13.3 as lift; said cross-selling opportunities recognition device analyzing said plurality of association rules to identify a first subset of said plurality of association rules that indicate said high level of profitability, said first subset of said plurality of association rules including said particular one of said plurality of association rules.

Obata does not specifically teach support, confidence and lift. Cohen teaches support, confidence and lift in Fig 2. Given a dataset and a rule, support, confidence and lift can be calculated as attributes of the dataset and rule. It would have been obvious to a person of ordinary skill in the art to calculate support, confidence and lift of a rule from a dataset based on Cohen. If the dataset and rule are such that the known calculation method would produce values of .22, 10.7 and 13.3, then Cohen would also teach calculating .22, 10.7, and 13.3. Obata does not specifically teach a housing loan and a credit card as products. Cohen teaches a housing loan (HMEQLC) and a credit card (CCRD) as products. Cohen does not specifically teach a Visa Gold card. Killeen teaches a Visa Gold Card as a known bank product in col 11 lines 22-28. It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify Cohen to use a Visa Gold credit card in order to get values for a popular product. It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify the Obata Crapo Chasko combination to add an association rules associating a Visa Gold credit card with a housing loan, said particular one of said plurality of association rules including a support of .22, a confidence of 10.7, and a lift of 13.3 in order to describe a dataset where that rule had been calculated with those numbers.

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Obata does not specifically teach product codes that indicate profit levels. The product codes (symbols) in Cohen's rules come from a table on page 2 paragraph 20. Cohen does not specifically teach product codes that indicate profit levels. The Obata Fahey combination teaches product codes that indicate profit levels as above. Thus it would have been obvious to a person of ordinary skill in the art at the time of the invention to modify the Obata Crapo Chasko Cohen combination to substitute product codes that indicate profit levels within the rules in order to include more meaningful information in the rule as displayed.

k. As to the next section of claim language,

Using said first subset of said plurality of association rules to identify first ones of said plurality of bank customers to which to target marketing, a purchase of one of said preferred products by one of said first ones of said plurality of bank customers resulting in said high level of profitability occurring, means for generating one or more marketing strategies based on the first subset of said plurality of association rules, means for cross-selling to said first ones of said plurality of bank customers by marketing to said first ones of said plurality of bank customers

Obata teaches in col 7 line 52 to col 8 line 38 using said first subset of said plurality of association rules to identify first ones of said plurality of customers to which to target marketing, a purchase of one of said preferred products by one of said first ones of said plurality of customers resulting in said high level of profitability occurring, means for generating one or more marketing strategies based on the first subset of said plurality of association rules, means for cross-selling to said first ones of said plurality of customers by marketing to said first ones of said plurality of bank customers.

I. As to the next section of claim language,

Said cross-selling opportunities recognition device analyzing said plurality of association rules to identify a second subset of said plurality of association rules that indicate said low level of profitability; means for using said second subset of said plurality of association rules to identify second ones of said plurality of bank customers to avoid marketing not targeted to second ones of said plurality of bank customers, a purchase of one of said preferred products by one of said second ones of said plurality of bank customers resulting in said low level of profitability occurring; said second ones of said plurality of bank customers excluded from a next marketing campaign, and wherein said first ones of said plurality of bank customers are good targets for cross-selling and said second ones of said plurality of bank customers are avoided.

Obata teaches ordering associations by profitability and eliminating those below a threshold in Col 7, lines 40-52. This effectively eliminates those customers from prospective marketing efforts. Thus in context Obata teaches said cross-selling opportunities recognition device analyzing said plurality of association rules to identify a second subset of said plurality of association rules that indicate said low level of profitability; means for using said second subset of said plurality of association rules to identify second ones of said plurality of bank customers to avoid marketing not targeted to second ones of said plurality of bank customers, a purchase of one of said preferred products by one of said second ones of said plurality of bank customers resulting in said low level of profitability occurring; said second ones of said plurality of bank customers excluded from a next marketing campaign, and wherein said first ones of said plurality

of bank customers are good targets for cross-selling and said second ones of said plurality of bank customers are avoided.

Conclusion

15. While portions of interest have been indicated, all references should be considered for the entirety of their teachings.

16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ann Loftus whose telephone number is 571-272-7342. The examiner can normally be reached on M-F 8-4.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kambiz Abdi can be reached on 571-272-6702. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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